

Remarks

Reconsideration and further examination is respectfully requested in light of the foregoing amendment, and in consideration of these remarks.

Claims 4 and 6-10 are pending in this application. Claims 1-3 and 5 previously have been cancelled. Applicant requests cancellation of Claim 7 in connection with this Amendment.

The Examining Attorney rejected Claims 4, 6, and 8-10 on the basis of O'Hara et al (U.S. Patent 5,069,141) under 35 U.S.C. 102(b), interpreting the pendant portion of O'Hara to satisfy the element of a "load bearing platform".

All rejections are traversed in this paper.

Location of Support for Amendments:

Applicant appeals to original claim 7 for support for the amendments made in this paper. Other locations in the Specification may be more or less relevant. Applicant requests the Examiner to consider these locations, and any others that may be relevant.

Response to Rejections: Section 112 Issues:

Claim 7. Claim 7 has been canceled, and therefore the Section 112 issues are moot for such claim

Claim 8 & 9. Applicant has amended "load bearing section" to "load bearing platform," obviating the antecedent basis concern. Applicant thanks the examiner for noticing this oversight.

Response to Rejections: Section 102(b) Issues:

Basis: The Examiner rejected Claims 4, 6, and 8-10 on the basis of O'Hara, citing to the presence of a load bearing platform as labeled 43 or 42. Notably, the Examiner considered

Claim 7 allowable, which prior to its cancellation referred to the load bearing section being closer to an upper wheel than a lower wheel.

Claim 4: By the amendment in this paper, claim 4 now specifies that the load bearing platform is above the rail. The gripping device 42 (interpreted by the examiner as a “load bearing platform”) in O’Hara is not above the rail. Accordingly, an element or limitation of the claim is not found in O’Hara. Applicant respectfully requests withdrawal of the rejection of Claim 4.

Claim 6: By the amendment in this paper, the language “load bearing [platform] is closer to the upper wheel than to the lower wheel” has been added to Claim 6. Recognizing that the Examiner had considered Claim 7 to be allowable (if placed in independent form and corrected for antecedent basis issues), Applicant respectfully contends that Claim 6 as amended is similarly allowable.

Claims 8 & 9: Depending from Claim 6, these two claims should similarly be allowable.

Claim 10: By the amendment in this paper, Claim 10 now, much like prior Claim 7, specifies that the load bearing platform is closer to the upper wheel than to the lower wheel. Applicant respectfully contends that the claim is now in condition for allowance.

Applicant respectfully seeks withdrawal of the rejections.

Fees

An extension of time of three (3) months is hereby requested, and the fee for such extension will be paid by EFS Web credit card transaction (and, if such payment is not successful or sufficient, any or all of the fee may be charged to Deposit Account 50-0954). If

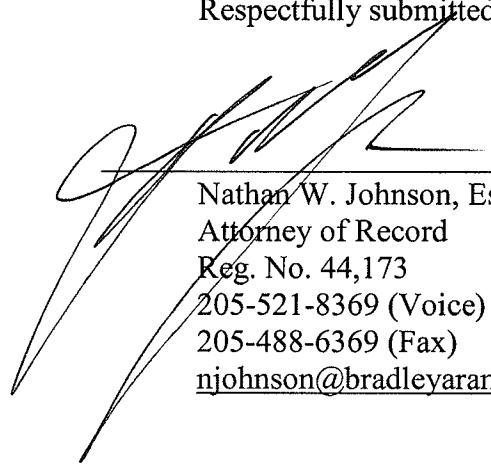
any other extension is required in order for this paper to be considered, such an extension is also hereby requested. This response therefore is timely. An Authorization to Charge Deposit Account 50-0954 is also enclosed to cover any deficiency. To the extent any petition is required in order for this response to be considered timely, or otherwise to maintain the pendency of this Application, this paper is deemed to include and to be such a petition.

Conclusion

Applicant respectfully submits that in light of the foregoing, all rejections to the application should be withdrawn. Applicant has diligently sought to comply with all requirements and to respond to any arguments. The Application is believed to be in condition for allowance, and early approval is respectfully requested.

Respectfully submitted,

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